

U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

Report of Investigation

Title of Investigation:

STERNQUIST, Kara - Postal Inspection Recovery

Investigation Number:

[REDACTED]

Report Number:

4

SUMMARY OF EVENT:

04/11/2023: Examination and Classification of Privately Made Firearms in ATF Evidence.

NARRATIVE:

- 1) On 04/11/2023 ATF Special Agent Robert Soukeras examined ATF property Exhibits 002, 011, 016 and 017 for the purpose of classifying them under Title 18 of the United States Code (U.S.C.) and the Code of Federal Regulations (CFR).

DEFINITIONS

- 2) The Gun Control Act of 1968 (GCA), 18 U.S.C. § 921(a)(3), defines the term “firearm” as: “...(A) **any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or silencer or (D) any destructive device.** Such term does not include an antique firearm.”
- 3) The GCA, 18 U.S.C. § 921(a)(30), defines the term “**handgun**” as: “(a) **firearm which has a short stock and is designed to be held and fired by the use of a single hand;** and (b) any combination of parts from which a firearm described in subparagraph (a) can be assembled.”
- 4) 27 CFR § 478.11, a regulation implementing the GCA, defines “**pistol**” as: “*a weapon originally designed, made, and intended to fire a projectile (bullet) from one or more barrels when held in one hand, and having (a) a chamber(s) as an integral part(s) of, or permanently aligned with, the bore(s); and (b) a short stock designed to be gripped by one hand and at an angle to and extending below the line of the bore(s).*”
- 5) 27 CFR § 478.12 (c), a regulation implementing the GCA, defines “**Partially complete, disassembled, or nonfunctional frame or receiver**” as: “The terms “frame” and “receiver” shall include a **partially complete, disassembled, or nonfunctional frame or receiver, including a frame or receiver parts kit, that is designed to or may readily be completed, assembled, restored, or otherwise converted to function as a frame or receiver, i.e., to house or provide a structure for the primary energized component of a handgun, breech blocking or sealing component of a projectile weapon other than a**

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Second level reviewer (optional): John B. DeVito	Title: Special Agent in Charge, New York Field Division	Signature:	Date:

handgun, or internal sound reduction component of a firearm muffler or firearm silencer, as the case may be.”

- Example 1 to § 478.12 paragraph (c) further describes a frame or receiver as:
A frame or receiver parts kit containing a partially complete or disassembled billet or blank of a frame or receiver that is sold, distributed, or **possessed with a compatible jig or template is a frame or receiver**, as a person with online instructions and common hand tools may readily complete or assemble the frame or receiver parts to function as a frame or receiver.

EXHIBIT 002

- 6) Exhibit 002 is described as an AR-type receiver with a trigger assembly installed, with no manufacturer’s markings or serial number. A partial AR-type upper and buffer tube attached.

- The receiver displays the following markings:

Left Side above the grip:

- Safe
- Fire



Exhibit 002 Photo #1



Exhibit 002 Phot #2



Exhibit 002 Photo #3

Exhibit 002 meets the definition of a “firearm” by being a **completed receiver** of any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive under 18 U.S.C. § 921 (a)(3)(B).

EXHIBIT 011

- 7) **Exhibit 011** is described as a privately made firearm made from an AR-type receiver with no manufacturer's markings or serial number and an American Tactical brand upper displaying "US Patent 9098786." The receiver has a trigger assembly installed. The upper has a bolt and barrel installed, and is chambered for .22 Long Rifle (.22LR) ammunition. It is designed with a pistol grip and is intended to be fired by the use of a single hand.



Exhibit 011 Photo #1



Exhibit 011 Photo #2

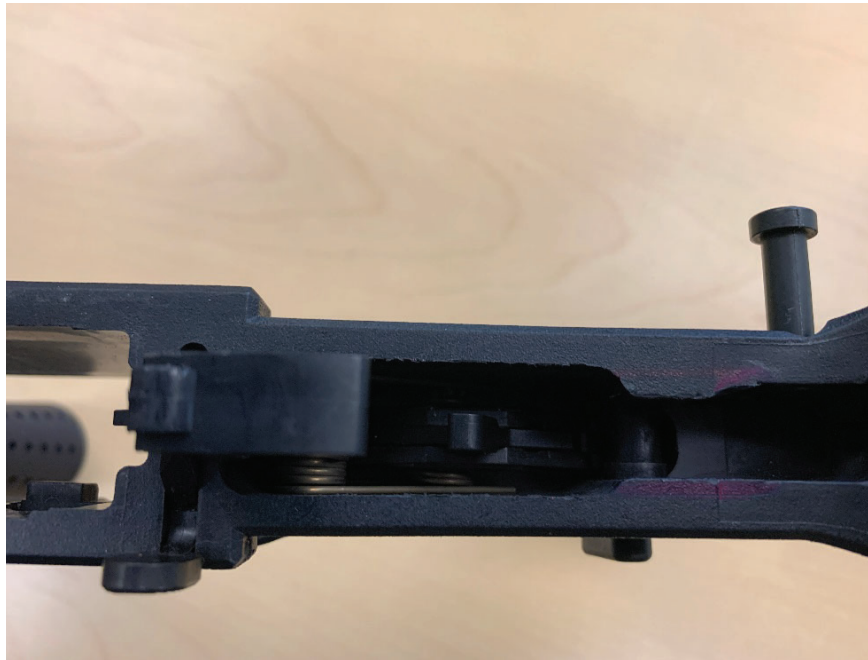


Exhibit 011 Photo #3

Exhibit 011 meets the definitions of a handgun and a pistol made from a **completed frame or receiver**. Handguns, pistols and completed frames or receivers all meet the definition of “firearm” as described in 18 U.S.C. § 921(a)(3).

EXHIBIT 016

8) Exhibit 016 is described as a Polymmer80, model PF940C completed frame marketed by Polymer80, Inc., of Dayton, Nevada.

- the frame displays the following markings:

Right side of the grip:

- **PF940C MADE IN USA**
- **POLYMER80, INC. DAYTON, NV**

Left and right side of the grip:

- **P80**



Exhibit 016 Photo #1



Exhibit 016 Photo #2

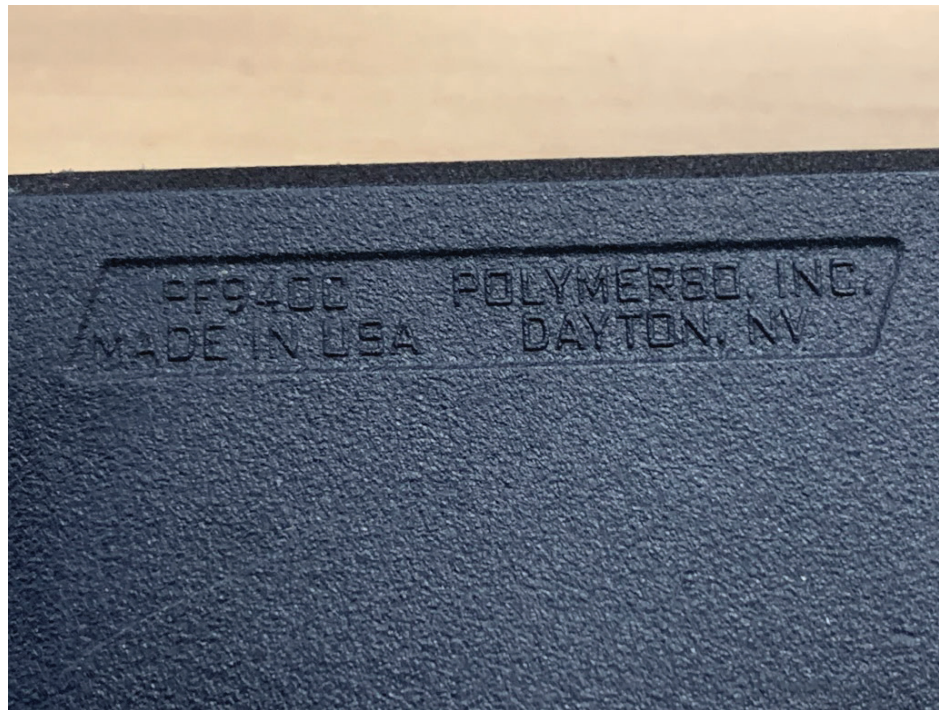


Exhibit 016 Photo #3

Exhibit 016 meets the definition of a “firearm” by being a completed frame of any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive under 18 U.S.C § 921(a)(3)(B).

EXHIBIT 017

- 9) **Exhibit 017** is described as a metal AR-type lower receiver with no manufacturer’s markings or serial number attached to a jig intended to aid the firearm builder in completing the receiver.

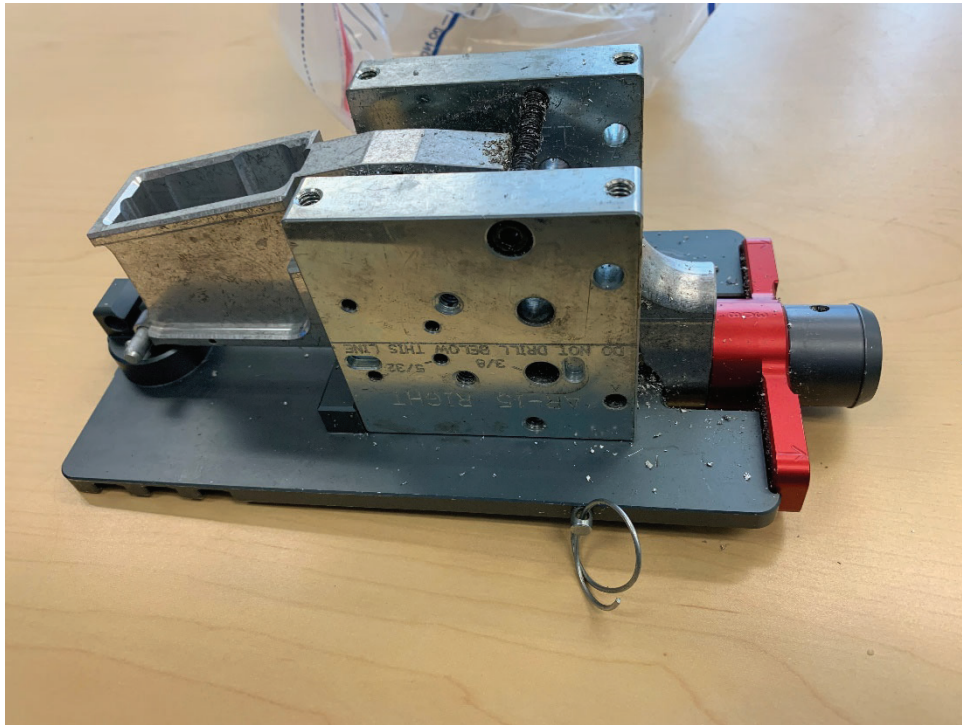


Exhibit 017 Photo #1

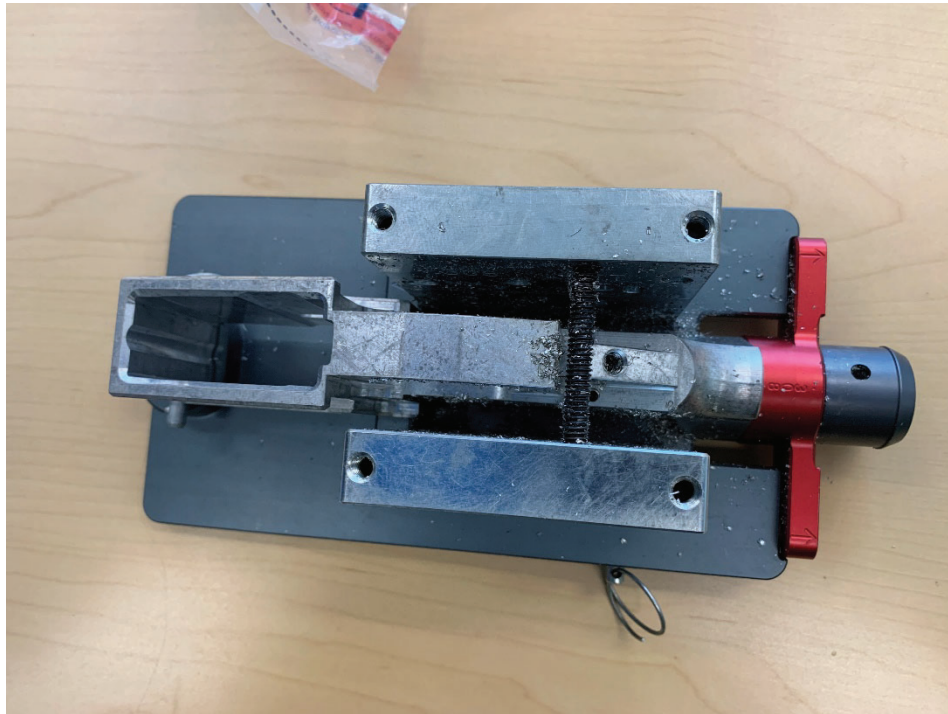


Exhibit 017 Photo #2

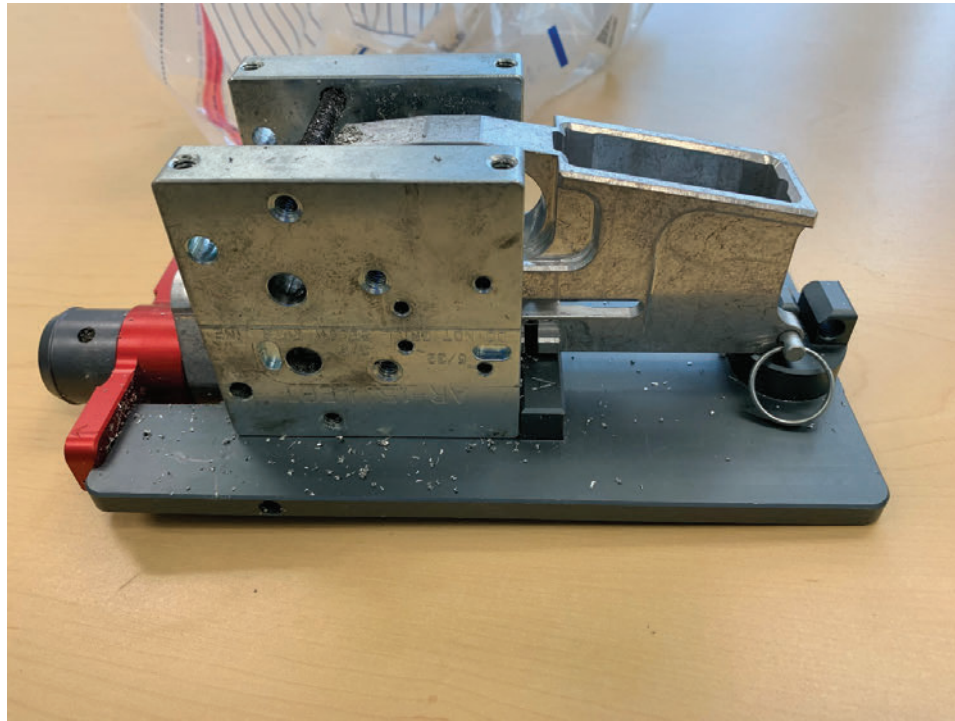


Exhibit 017 Photo #3

Exhibit 017 meets the definition of a “receiver” as it is a partially completed receiver possessed with a compatible jig or template. A “receiver” meets the definition of a “firearm” under 18 U.S.C. § 921(a)(3)(B).

SUMMARY

Exhibit 002 is the receiver of a weapon which is designed to expel a projectile by the action of an explosive; therefore, it is a “**firearm**” as defined in 18 U.S.C. § 921(a)(3)(B).

Exhibit 011 is a weapon which is designed to expel a projectile by the action of an explosive and incorporated the frame or receiver of such a weapon; therefore, it is a “**firearm**” as defined in 18 U.S.C. § 921(a)(3)(A) and (B).

Exhibit 016 is the frame of a weapon which is designed to expel a projectile by the action of an explosive; therefore, it is a “**firearm**” as defined in 18 U.S.C. § 921(a)(3)(B).

Exhibit 017 is the receiver of a weapon which is designed to expel a projectile by the action of an explosive; therefore, it is a “**firearm**” as defined in 18 U.S.C. § 921(a)(3)(B). **Exhibit 017** is a partially completed receiver possessed with a compatible jig or template, therefore may readily be completed, assembled, restored, or otherwise converted to function as a frame or receiver.